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SACRAMENTO	From: Mark R. Kendrick		Phone No: 213.488.7253
SAN DIEGO			
SAN DIEGO-NORTH COUNTY	User No: 14238		C/M No: 23803-250394
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Interview Request Form PTOL-413A

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20531152V1

Applicant Initiated Interview Request Form

Application No.: 09/753,093   First Named Applicant: Jon Lei

Examiner: Carlos Lugo   Art Unit: 3676   Status of Application: Pending

Tentative Participants:

(1) Mark Kendrick   (2) Carlos Lugo

(3) Jon Lei   (4) _____

Proposed Date of Interview: Dec 9, 2004   Proposed Time: 10:00 (AM/PM)

Type of Interview Requested:

(1) [✓] Telephonic   (2) [ ] Personal   (3) [ ] Video Conference

Exhibit To Be Shown or Demonstrated: [ ] YES   [ ] NO

If yes, provide brief description: _____

Issues To Be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) Rejection	All Claim	Ossiscwhn miH-1 Amazon	[ ]	[✓]	[ ]
(2) _____	_____	_____	[ ]	[ ]	[ ]
(3) _____	_____	_____	[ ]	[ ]	[ ]
(4) _____	_____	_____	[ ]	[ ]	[ ]

[ ] Continuation Sheet Attached

Brief Description of Arguments to be Presented:

See Attached document faxed to Examiner.

_____

An interview was conducted on the above-identified application on 12/9/04 .

NOTE: This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

Applicant/Applicant's Representative Signature   Examiner/SPE Signature

Mark R. Kendrick

Typed/Printed Name of Applicant or Representative

48,468

Registration Number, if applicable

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SACRAMENTO			
SAN DIEGO	User No:	14238	C/M No: 23803-250394

SAN DIEGO-NORTH COUNTY

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Comments:

Discussion Outline for Our Interview Tomorrow at 10:00 AM.

PTO413A Form

10AM

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20528159V1

DISCUSSION POINTS FOR EXAMINER INTERVIEW EXAMINER CARLOS LUGO

Application Serial No.: 09/753,093
Filing Date: January 2, 2001
Inventor: Jonathan L. Lei

Examiner Lugo,

OBJECTION TO THE DRAWINGS RESPONSE

In regard to your objection that certain limitations of the claims were not shown in any Figures, the applicant has amended Fig. 6 to include the limitations of the claim. Please verify if this would be acceptable. Support for these drawing amendments can be found in the specification at pages 4 - 5, 9, and 11 - 13. No new matter has been added.

REJECTION OF CLAIMS 84, 85, 102, AND 103

In regard to the claims, the applicant submits that the disclosed references, Amazon, Ogasawara, and Mankow do not disclose, teach, or suggest the highlighted limitations of claims 84, 85, 102, and 103. Applicant understands that the Amazon reference and the Ogasawara reference disclose that users can download the software to another palm device or cellular telephone. However, these two references do not disclose that the entire software package (both the data contents and software logic) from one device are transferred from the originating device to the second palm device or cellular network.

Illustratively, suppose you have a PDA and use the PDA to store telephone numbers of contacts and you also utilize the PDA (with Amazon) to purchase a scarf on the Amazon web site. On the originating device a data file or a couple of data files would be created with these two pieces of information (phone numbers and transaction data). In the case of purchasing the scarf, the transaction data itself may be transmitted to the server of where the scarf is purchased from, but these two **references (Amazon and Ogasawara) do not disclose that the software and the data are transferred to the server**. Turning to the software without the data (referred to in our patent application as the transaction logic), when the software is copied from one device to the other (as you state that Amazon and Ogasawara disclose, the data would not be copied to the other device. In other words, the references do not disclose that the **phone numbers and the transaction data would be transferred from one device to the other**. Accordingly, the highlighted limitations of claims 84, 85, 102, and 103 distinguish over the Amazon and Ogasawara reference.

The Mankoff reference does not make up for the deficiencies of the Ogasawara reference and the Amazon reference. Although you do not specifically point to where in the Mankoff reference most of the limitations are located, the virtual coupon of the Mankoff reference is disclosed only to include a discount offer, contact information, expiration date, reminder data, retail location, a map, and a hyperlink to a provider's web site. **The Mankoff reference does not disclose that the virtual coupon includes logic that 1) enables modification of the wireless transaction or that 2) enables transfer of the entire self-contained business**

transaction capsule (logic and data) to other transaction participants. In the Mankoff reference, only the data (the coupon) is transferred to the other computing device, i.e., client or the server -- meaning the coupon logic or software used to interpret, modify, manipulate and interact with the coupon data need to be pre-installed by the user on his computing device beforehand. The entire business transaction capsule is not transferred to the server or client. Accordingly, the highlighted limitations of claims 84, 85, 102, and 103 distinguish over the Mankoff reference.

The limitations we are discussing above are highlighted below.

84. (New)   A self-contained business transaction capsule to conduct a wireless transaction, comprising:

data regarding transaction products and transaction services;

data regarding transaction participants;

logic, in the form of executable code, enabling interaction between the transaction participants and the self-contained business transaction capsule;

logic, in the form of executable code, enabling modification of the wireless transaction; and

logic, in the form of executable code, regarding the wireless transaction and enabling transfer of the self-contained business transaction capsule from a wireless electronics device to other transaction participants.

85. (new) The self-contained business transaction capsule, according to claim 84, further including logic, in the form of executable code, **enabling copying of the self-contained business transaction capsule to other transaction participants.**

102. (new) A self-contained business transaction capsule to conduct a wireless transaction, comprising:

data regarding transaction products and transaction services;

data regarding transaction participants;

logic, in the form of executable code, enabling interaction between the transaction participants and the self-contained business transaction capsule;

logic, in the form of executable code, enabling modification of the wireless transaction; and

logic, in the form of executable code, regarding the wireless transaction and enabling transfer of the entire self-contained business transaction capsule from a wireless electronics device to other transaction participants.

103. (new) The self-contained business transaction capsule, according to claim 102, further including logic, in the form of executable code, **enabling copying of the self-contained business transaction capsule to other transaction participants.**

REJECTION OF CLAIM 87

We also respectfully disagree with the Examiner's rejection of claim 87. Specifically, in identifying each of the Amazon, the Ogasawara, and the Mankoff references, the Examiner states that any amount of users can access the [Amazon, Ogasawara, and Mankoff] web site at the same time and download the capsule and software to their palm devices in a peer-to-peer topology

between the web site and the different users. The applicant respectfully disagrees with the Examiner.

First, the accessing of a web site by multiple devices **is multiple client-server interactions and is not peer-to-peer communication**. Each of the Ogasawara, the Amazon, and the Mankoff references disclose the use of a client-server topology between the web site and the plurality of remote devices (PDAs, phones, computers) and do not disclose a peer-to-peer topology. **Furthermore, the software that is downloaded does NOT contain peer-to-peer logic, i.e. executable code, to transmit itself to other wireless devices utilizing a peer-to-peer topology.** Accordingly, the applicant submits that claim 87 further distinguishes over the Ogasawara, Amazon, and Mankoff references. Claim 87 is listed below.

87. (new) The self-contained business transaction capsule according to claim 84, further including logic, in the form of executable code, to access functionality with other wireless devices **utilizing a peer-to-peer topology** for transmission of the entire self-contained business transaction capsule.

In summary, all prior arts, whether Amazon, Ogasawara, Mankoff, only transmit data back and forth between pre-installed software applications on various participant devices to facilitate a transaction. Our invention, as disclosed in the patent application, is one that employs a technique that encapsulates data and logic into an executable software object that can copy ITSELF, transmit ITSELF, with all state information and transaction memory as it moves from on participant device to another.